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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/854,977	05/14/2001	Scott LeKuch	YOR920000703US1	9087
7590	05/03/2005		EXAMINER	
Harry F. Smith, Esq. Ohlandt, Greeley, Ruggiero & Perle, L.L.P. 10th Floor One Landmark Square Stamford, CT 06901-2682			VO, HUYEN X	
			ART UNIT	PAPER NUMBER
			2655	
DATE MAILED: 05/03/2005				

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	09/854,977	LEKUCH ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Huyen Vo	2655	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

**A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.**

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
  - If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
  - If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
  - Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) Responsive to communication(s) filed on 13 December 2004.
- 2a) This action is **FINAL**.                    2b) This action is non-final.
- 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) Claim(s) 1-24 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) Claim(s) \_\_\_\_\_ is/are allowed.
- 6) Claim(s) 1-24 is/are rejected.
- 7) Claim(s) \_\_\_\_\_ is/are objected to.
- 8) Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) The specification is objected to by the Examiner.
- 10) The drawing(s) filed on 14 May 2001 is/are: a) accepted or b) objected to by the Examiner.  
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) All    b) Some \* c) None of:
1. Certified copies of the priority documents have been received.
  2. Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |   |   |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)                     |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                    | Paper No(s)/Mail Date. _____  |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____. | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
|   | 6) <input type="checkbox"/> Other: _____.                                   |

## DETAILED ACTION

### ***Response to Amendment***

1. Applicant has submitted an amendment filed 12/13/2004 arguing to traverse the art rejection based on amended limitation regarding "*wherein said language element being a symbol representative of a complete message to be presented as part of the user interface of the companion device, wherein said message is comprised of either multiple characters of arbitrary language, character set or a graphic icon*" (see *claim amendment*). Applicant's arguments have been considered but are not persuasive. Funyu fully anticipates this limitation in that the server dynamically determines fonts needed by the client device and downloads the determined fonts to the client device (*col. 8, line 59 to col. 9, line 25*). The determined fonts can be of any arbitrary languages. And one of ordinary skill in the art would readily realize that a foreign character font (i.e. Japanese) is a complete message as defined by the applicant in example of copyright symbol given in page 9 of the remark section of the response. Therefore, the examiner maintains previous ground of rejection of claims 1-24.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless – (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Art Unit: 2655

3. Claims 1-4, 8, 11-14, 18, 21-<sup>23</sup> are rejected under 35 U.S.C. 102(e) as being anticipated by Funyu (US 6320587).

4. As per claims 1, 11, and 21, Funyu discloses the following limitations: a communication link for bi-directionally providing a communication channel between a host computing device and a companion computing device (*communication network - 34, FIG. 2a*); said companion computing device comprising a display and further comprising a control device for transmitting a request for a language element to said host computing device over said communication link (*www client (35, FIG. 2a) comprising display (62e, FIG. 2b) and inherently comprising a processor which makes a request to download the fonts over the computer network (col. 7, lines 58-62)*); host computing device being responsive to a receipt of said request for a language element for transmitting to said companion computing device an image representation (*bitmap, FIG. 6*) of the requested language element over said communication link for display on said companion display device (*WWW server, (31, FIG. 2a) which downloads fonts to the client device (Col. 7, lines 58-62)*), wherein said language element being a symbol representative of a complete message to be presented as part of the user interface of the companion device, wherein said message is comprised of either multiple characters of arbitrary language, character set or a graphic icon (*col. 8, line 59 to col. 9, line 25, referring to the Response to Amendment section for explanation*).

Art Unit: 2655

5. As per claims 2, 4, 14, 12, and 22, Funyu further discloses a server (host computer) with database (storing unit, 32, FIG. 2a), which stores font data in a bitmap (image) representation (bitmap data, FIG. 6) or character code representation (character code, FIG. 6).

6. As per claims 3, and 13, Funyu further discloses that a database stores fonts of other foreign languages (Col. 9, lines 11-17).

7. As per claims 8, 18, and 23, Funyu further discloses storing fonts on the client machine (Col. 8, lines 2-4).

***Claim Rejections - 35 USC § 103***

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

9. Claims 5-7, 9-10, 15-17, 19-20, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Funyu.

10. As per claims 5-7, 15-17, and 24, Funyu discloses a server (host device) dynamically creating font resources (image(bitmap representation) corresponding to

character media data (Col. 5, lines 60-63). As shown in FIG. 6, the result of such conversion is a font comprising a bitmap (image) representation of a character.

Funyu does not explicitly disclose that the language elements (character media data) are stored in textual form, as ASCII or Unicode codes. However, FIG. 6 does show that the resulting fonts contain character codes. The examiner takes the official notice that the text codes, such as ASCII and Unicode and their corresponding conversion to images (bitmaps) are extremely well known in the art. (See Jukka Korpela, "A tutorial on character code issues", <http://www.cs.tut.fi/~jkorpela/chars.html>). In addition, font data of Funyu already contains textual codes (character codes, FIG. 6) and hence, the server must necessarily have this information on hand during the creation of font resources.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Funyu to create font resources from text (ASCII, Unicode, etc), because this method is notoriously well-known in the art and would allow Funyu's system to offload the process of font data creation from the computationally weaker client machines to a dedicated server (Col. 6, lines 19-25).

11. As per claims 9, and 19, Funyu does not disclose that a companion computing device comprises a digitizer input system having an electronic pen or stylus for handwritten information. However, Funyu does suggest that a user terminal can be a PDA (Col. 2, lines 14-16). The examiner takes the official notice that it is extremely well

known that a typical PDA comprises an electronic pen/stylus for the input of handwritten information.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Funyu to use a PDA with a styluses/electronic pens, as these are exactly the limited capacity processing devices that his invention attempts to improve (Col. 6, lines 19-25) by offloading font processing to dedicated servers.

12. As per claims 10, and 20, Funyu does not explicitly disclose a communication link (network), which is either wireless or wired (wire-line). However, Funyu further discloses a network, such as LAN, connecting a client and a server (Col. 9, lines 55-61). The examiner takes the official notice that both wireless (802.1 1b) and wire-line LANS (Ethernet) are extremely well known in the art.

Therefore, it would have been obvious to one of ordinary skill in the ad at the time the invention was made to modify Funyu to use either wireless or wire-line network, as this is well-known in the art and would ensure that Funyu's system would operate with both wireless (laptops) and wire-line (desktops, workstations, etc.) environments.

### ***Conclusion***

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Peng et al. (US 6252671) teach a system for downloading fonts, Focazio et al. (US 6445458) teach a system for rendering non-latin glyphs, Adobe

Systems Incorporated, "Glyph Bitmap (BDF) Distribution Specification", published 3/22/93, and Jukka Korpela, "A tutorial on character code issues," <http://www.cs.tut.fi/~jkorpela/chars.html> are all considered pertinent to the claimed invention.

Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Huyen Vo whose telephone number is 703-305-8665. The examiner can normally be reached on M-F, 9-5:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Doris To can be reached on 703-305-4827. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

HXV

April 21, 2005

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SUSAN MCFADDEN  
PRIMARY EXAMINER